

Now, we know what they plan over in the House. They are going to send the AMT over there, and they are going to pay for it and send it back over here. I think that is a huge mistake; it is an excuse for raising taxes on a whole lot of Americans.

With regard to the remaining appropriations bills, the Democratic leader and I have had a number of constructive conversations. We are going to be talking to the administration later in the day on that subject. Any discussion of finishing up the year is going to have to include funding for the troops in Afghanistan and Iraq. We know we have had this debate a lot of times—at last count, 63 Iraq votes in the House and Senate this year. We know that even when the war was going poorly and there was great opposition to the surge, at the end of the day the funding was there. Now the surge is succeeding, and the war is going better. Why would we not continue the funding now that things are going better when even the majority, which did not favor the effort in Iraq, provided funding when it was going poorly? As part of any settlement of the 11 appropriations bills, we are going to have troop funding into next year.

On FISA, I think we have a way forward. The majority leader and I have talked about it. I think we both have the view that the underlying bill will probably be the intelligence measure. I think we should be able to construct some kind of consent agreement in that particular instance where I don't think there is much of a demand for amendments—some amendments but not a whole lot—that will allow us to go forward.

On energy, Senator DOMENICI tells me that he had an understanding with the majority leader and with the chairman of the Energy Committee in the Senate as to what would and what would not be in an energy bill that we would finally pass. It is my understanding that an energy bill that the House may act on, I gather today, I am not sure—is it today? Does someone know? It is likely to include tax hikes and utility rate increases for those of us in the Southeast. Now, in what way would an energy bill that raises taxes, when oil is about \$100 a barrel, and has the practical effect of raising utility rates all across the Southeast be beneficial? My understanding was that the majority leader and Senator DOMENICI and Senator BINGAMAN agreed that was not going to be a part of the proposal. I do not know whether it will be a part of the proposal when it comes over from the House, but that agreement ought to be kept and those provisions ought to be removed.

Finally, at the risk of being redundant, let me say again on the farm bill that we have enough time. Most of the negotiations that are going on, are going on off the floor. We do have floor time. It remains my advice to the majority leader to get on to the farm bill, process amendments, and move for-

ward. I think that would be a way to make progress. It is probably going to be very challenging to get as tight a time agreement on amendments, as tight a number on amendments as the majority leader would like. We spend so much time doing that; we could be processing amendments here on the floor and moving forward with the bill.

Let me say in conclusion that we do want to be cooperative, but the reason we have had a lot of impasse this year is because a very narrow majority is, in effect, trying to dictate amendments to the minority. That will not work in the Senate. One of the prices of being in the majority—it is better to be in the majority than not. I would rather be in majority than not. But one of the prices you pay for being in the majority is you have to take votes you do not want to take in order to advance legislation.

So I would say to my good friend from Nevada, he is going to have as much cooperation as I can possibly muster. I am anxious to help us move forward on all of these issues he and I have been discussing here this morning.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the time Senator MCCONNELL and I have used not be counted against the hour for morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I have been in the minority; I understand how that works. But the record is very clear that on rare occasions did we oppose motions to proceed. We did but on rare occasions.

Keep in mind, as I have said, during this period of time—not even 1 year yet—records for filibusters will be broken for a 2-year session.

We have involved the minority. We did it on the minimum wage. We did it on ethics and lobbying reform. We have done it on U.S. attorneys independence. When we passed a supplemental appropriations bill, there was total involvement of House Republicans and Senate Republicans. That was good. We were able to finally get money for Katrina and wildfire relief. We have worked together on veterans legislation we have done. It has been a bipartisan move forward.

One of the rewarding things for me is the work we have been able to get out of the HELP Committee. Two diametrically opposed political minds, KENNEDY and ENZI, have worked together and produced a lot of good things on which we have been able to move forward—mental health parity, the Head Start Program, a number of other items.

We have passed legislation that has paid for our troops. The only words of disagreement Senator MCCONNELL and I have had on a private basis has been

over the Energy bill; that was a misunderstanding. Those things happen, and I have forgotten about that. Other than that, we do our best to represent our caucus and our country. I have no personal animosity toward my friend.

On the Energy bill, I do want to say this before we leave that. To frame this issue, understand we are in the middle of a debate on the Energy bill. The issue was whether we would have a \$32 billion tax on the Energy bill. There was objection from my Republican friends. Before votes were taken, one of my friends, a Democratic Senator, stood and said: It doesn't matter what you do here. We will take care of it in conference.

I stood and said: This will not take place in conference. We will not have this matter in conference.

The problem is, we have never been able to get to conference. We tried numerous times to have a conference on the Energy bill, and they wouldn't let us do it. So now we are going to get from the House tomorrow something they have done. Republicans have been involved, Republicans in the House and in the Senate. But, remember, in the House they have a little different procedure. Because the power is with the party that has the most votes, they can do most anything they want.

I have kept my word. There is nothing that has been added in conference. We haven't had a conference. I can't control Speaker PELOSI. I hope everybody understands that. She is a strong, independent woman. She runs the House with an iron hand. I support what she does, but no one needs to come and tell me I didn't keep my word. You check the record, which we have. I said this matter would not be added in conference, and it has not been added in conference. We haven't had a conference.

I have spoken to Senator DOMENICI. He is my friend, and I have great respect for him. He has served his State and the country well. Senator DOMENICI and I have worked as the two leaders of the Energy and Water Subcommittee on Appropriations for a long time. He was either the chairman or I was. We get along very well. I talked to him last night. I explained to him the situation. I think he understands what took place. We have not had a conference. If that bill comes to us and those tax provisions are in it, we will take a look at it.

I do know this: As I have been told, the tax portion of that, if it is tied on to the Energy bill, would be \$12 billion less than the one proposed in the Senate. I hope we can get some cooperation on the Energy bill. That would be great. It is something this country needs.

A couple of other things I want to say. On the farm bill, I say with the most genuine respect I can that my friend is not being fair in his description of why we don't move forward on the farm bill. Remember, the last bill

we had to move forward on was Amtrak, a bill that had been in the Republican leadership for years not moving forward. We decided we would move forward on it, and we passed it. What was the first amendment offered? A tax amendment. It had absolutely nothing to do with Amtrak. We can't have these bills in the waning weeks of this Congress, when people are waiting around for all kinds of things they want to do on Iraq and Afghanistan and the military and immigration.

I guess the Republicans think they have a good issue on immigration, to bash immigrants. They have all kinds of issues they want on immigration. They are waiting in the wings to offer these amendments. We can see that on the farm bill. A number of the 287 amendments filed have been dealing with immigration. We can't open the farm bill during the time we are trying to pass FISA, trying to pass the farm bill, AMT, do our spending bills.

How much more reasonable could I be in trying to shorten the time? I said: Republicans take 10; we will take 5. No. So Senator HARKIN comes to me and Senator CHAMBLISS. They have it down to less than 40. I said: Take the deal; we will agree to it. We don't even want time agreements on the amendments. How much more reasonable can we be? We can't be. Whatever we come up with, the Republicans would not agree to it because they do not want us to have a farm bill. So why don't they just acknowledge that. They are acknowledging it by their stopping us from having any kind of agreement.

I agree with the Republican leader, once we got on the bill, we could move forward with these amendments quickly. But that is where we are.

According to my friend—and I think these are the words he said—it is offensive to pay for these tax cuts. Let's follow this. It is offensive to pay for the tax cuts? That has been the Republican mantra for 7 years. And where are we? When President Bush took office, there was a \$7 trillion surplus over 10 years. Where are we now? We are approaching a \$10 trillion debt. Everything the Republicans have done with their spending has not been paid for, and their tax cuts have not been paid for.

As with the Clinton administration, we adopted pay-go. That is in our budget. If we have a program that is new, we have to pay for it. That doesn't sound unreasonable. That is what the American people want. If they buy a new car, a new refrigerator, they have to pay for it. There is only so much credit in the world. This Government has exceeded its credit limit. The credit card no longer works.

We also believe the tax cuts, which have given us red ink as far as you can see, created by the Republicans, should come to an end. If there are going to be further tax cuts, we should pay for them. That is the right thing to do. That is all we are saying with the AMT. Pay for these tax cuts. This is a tax cut. It should be paid for. I don't know what is offensive about that.

I would further say we are willing to meet the minority more than halfway—halfway, of course, but more than halfway. We have proven that as we have worked through legislation this year. It has been hard. It has been a slog. I understand how disappointed the Republicans are that we are in the majority. It was a surprise to a lot of people when last November we took the majority of the Senate. We won seats that no one expected us to win. But we are in the majority, no matter how slim. We have had some accomplishments, and we are proud of those. But more importantly, we believe in change. We believe we are agents of change for America. The Republicans are agents of the status quo. The American people will have to judge whom they want to support. Do they want to support those who want to keep things the way they are in Iraq and every other bad situation we find ourselves in as a country or do they want to move forward with us and work for change? That is where we are.

I think we are on the right side. I hope during these next couple of weeks we can work together and do some good things for the country. We are willing to go more than halfway. Take AMT, for example. Let's go over that again. I have tried everything I can, offering unanimous consent requests which have been objected to. Vote on the House bill. No. Vote on what we have in the Senate. No. Vote on what Senator LOTT wants: just to repeal it and have another trillion dollars of red ink. No. Not willing to do that.

So today I said: OK, let's vote on not even paying for it. How about that? I have heard no clamor from the Republicans, yes, that sounds like a good idea. What more could we do?

The word is that there are people—and how big the number is we don't know, but we know in the Senate it doesn't take a big majority to cause problems—there are many Republican Senators who don't want us to put the patch for AMT so they can go around, as I told Senator MCCONNELL this morning, pointing fingers at each other about whose fault it is that these people in America with \$75,000 to \$500,000 in income are going to get a tax increase. How much more reasonable could we be? Have we gone more than halfway? The answer is obviously yes. We want to legislate. We do not want to block things from happening.

If someone can show me how I am unreasonable with my proposal on AMT, I would be happy to sit down and talk to them. I don't know how I could be more reasonable.

The PRESIDING OFFICER (Mr. MENENDEZ). The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, others have been waiting patiently to speak. Let me say with regard to AMT, this is existing law we are trying to extend. With regard to the extenders, there is existing law we are trying to extend. We should not use that as an

excuse to raise taxes on a whole lot of other Americans. That is something that virtually every member of my conference feels strongly about. We are going to continue to talk about it. I am still optimistic we are going to be able to get this worked out. The majority leader and I are good friends, and we are going to continue to work on all these issues in the hope that we can go forward in the few weeks remaining before Christmas.

I yield the floor.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period of morning business for 60 minutes with the time equally divided and controlled between the two leaders or their designees and with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Oregon.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 2411 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### UNANIMOUS-CONSENT REQUEST— S. 1662

Mr. WYDEN. Mr. President, with the indulgence of the Senator from Oklahoma, at this time, on behalf of Senator KERRY, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 422, S. 1662; that the amendment at the desk be considered and agreed to; the committee-reported amendment, as amended, be agreed to; the bill, as amended, be read a third time; that the Small Business and Entrepreneurship Committee then be discharged of H.R. 3567, the House companion, and all after the enacting clause be stricken, the text of S. 1662, as amended, be inserted in lieu thereof, the bill be advanced to third reading, passed, and the motion to reconsider be laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that S. 1662 be returned to the calendar, with all of the above occurring without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, I object and will take my morning hour time to explain why.

The PRESIDING OFFICER. Objection is heard.

#### CREDIT CARD BILLS

Mr. COBURN. Mr. President, I say to the Senator from Oregon, I look forward to looking at the bill he just introduced. I, too, am very concerned. We